

AN ORDINANCE 101763

ACCEPTING THE LOW, QUALIFIED BID BY DAVILA CONSTRUCTION, INC., A SBE/MBE FIRM, TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE FARMERS MARKET BUILDING REHABILITATION PROJECT IN DISTRICT 1 FOR A TOTAL CONTRACT COST OF \$237,550.00; AUTHORIZING THE EXECUTION OF A STANDARD CONSTRUCTION CONTRACT; ALLOCATING \$2,000.00 FOR ARCHITECT CONTINGENCY, \$3,000.00 FOR PRINTING AND ADVERTISING, \$14,000.00 FOR CONSTRUCTION CONTINGENCY; AUTHORIZING APPROPRIATION OF \$256,550.00 FROM 2003-2007 PARK BOND FUNDS; AND PROVIDING FOR PAYMENTS.

* * * * *

WHEREAS, the amount of \$419,000.00 in Park Bond Funds and \$126,608.00 in Market Square Parking Improvements Trust Funds is available for phase 2 of the Farmers Market Building Rehabilitation Project; and

WHEREAS, the construction will consist of indoor and outdoor lighting, roof repair/replacement, ADA modifications and other general improvements in the Farmers Market Building; and

WHEREAS, HVAC replacement was completed through an emergency purchase order in August 2005; and

WHEREAS, the overall project also includes renovations to the El Mercado Building which will be accomplished through an additional construction contract which will be presented in the near future for rehabilitation work at the El Mercado Building; and

WHEREAS, this project has been bid on two other occasions with all bids coming in over budget; and

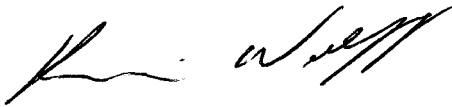
WHEREAS, the third construction bid was advertised in September 2005 in the Commercial Recorder, San Antonio Informer, and La Prensa De San Antonio; and

WHEREAS, two (2) qualified bids were received and Davila Construction, Inc., a SBE/MBE firm, was selected with a low bid of \$237,550.00; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

Section 9. This ordinance shall be effective on and after December 11th, 2005.

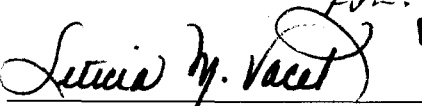
PASSED AND APPROVED this 1st day of December, 2005.



M A Y O R

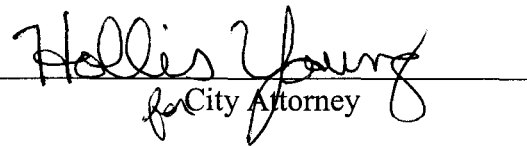
PHIL HARDBERGER

ATTEST:



City Clerk

APPROVED AS TO FORM:


for City Attorney

Section 1. The low qualified bid of \$237,550.00 from Davila Construction, Inc. for capital improvements as part of the City's Farmers Market Building Rehabilitation Project is hereby accepted. The City Manager or her designee or the Director of Public Works is hereby authorized to execute a standard form public works construction contract for the job. A copy of the contractor's bid is affixed hereto and incorporated herein for all purposes as Attachment I. All other bids will be deemed rejected upon the execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates or the expiration of sixty (60) days from the effective date of this ordinance accepting the low bid, whichever event occurs first.

Section 2. The amount of \$256,550.00 is appropriated in fund 45804000, 2003 Park Improvement Bonds, WBS GO-00047-01-01-29, GL account 6102100 – Interfund Transfer out entitled Transfer to 23-00346-90-10. The amount of \$256,550.00 is authorized to be transferred to fund 45099000.

Section 3. The budget in fund 45099000, Project Definition 26-00346 – Farmers Market Building Rehabilitation Project, shall be revised by increasing WBS element 23-00346-90-10, entitled TRF FR WBS GO-00047-01-01-29, GL account 6101100 – Interfund Transfer In, by the amount of \$256,550.00.

Section 4. The amount of \$237,550.00 is appropriated in Fund 45099000, Project Definition 26-00346, Farmers Market Building Rehabilitation Project, WBS element 26-00346-05-08-03, and is authorized to be encumbered and made payable to Davila Construction, Inc.

Section 5. The amount of \$14,000.00 is appropriated in Fund 45099000, Project Definition 26-00346, Farmers Market Building Rehabilitation Project, WBS element 26-00346-05-08-04, and is authorized to be encumbered and made payable for project contingencies.

Section 6. The amount of \$2,000.00 is appropriated in Fund 45099000, Project Definition 26-00346, Farmers Market Building Rehabilitation Project, WBS element 26-00346-01-19-02, and is authorized to be encumbered and made payable for architect contingencies.

Section 7. The amount of \$3,000.00 is appropriated in Fund 45099000, Project Definition 26-00346, Farmers Market Building Rehabilitation Project, WBS element 26-00346-01-10, and is authorized to be encumbered and made payable for project advertising fees.

Section 8. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager, or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

CITY OF SAN ANTONIO
PARKS AND RECREATION DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM

TO: Mayor and City Council

FROM: Malcolm Matthews, Director, Parks and Recreation Department

SUBJECT: Farmers Market Building Rehabilitation Project

DATE: December 1, 2005

SUMMARY AND RECOMMENDATIONS

This ordinance accepts the low, qualified bid by Davila Construction, Inc., a SBE/MBE firm, to perform construction work in connection with the Farmers Market Building Rehabilitation Project in City Council District 1 for a total contract cost of \$237,550.00; authorizes the execution of a standard construction contract; allocates \$2,000.00 for architect contingency, \$3,000.00 for printing and advertising, \$14,000.00 for construction contingency; authorizes appropriation of \$256,550.00 from 2003-2007 Park Bond Funds; and provides for payment.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

Renovations to both the Farmers Market and the El Mercado buildings in Market Square in District 1 were jointly designed through an architectural services agreement approved on June 3, 2004 with 2TEN Architects, Inc. Upon completion of design, the first phase of construction included HVAC replacement at the Farmers Market building completed in August 2005. This agenda item authorizes the second phase which includes the construction of indoor and outdoor lighting, roof repair/replacement, ADA modifications and other general improvements in the Farmers Market building. The final phase will consist of roof renovation and HVAC replacement at the El Mercado building. A construction contract will be presented in the near future for the rehabilitation work at the El Mercado building.

This project has been bid on two other occasions with all bids coming in over budget, resulting in separating the project into smaller contracts. The third construction bid was advertised in September 2005 in the Commercial Recorder, San Antonio Informer, and La Prensa De San Antonio. Two (2) qualified bids were received and Davila Construction, Inc., a SBE/MBE firm, was selected with a low bid of \$237,550.00. A summary is shown on Exhibit 1. The contract total is within available funds. A standard construction contract will be executed. The firm has no current projects with the City.

The construction contract is for sixty (60) calendar days. Work is anticipated to begin in January 2006 and will be completed in March 2006.

POLICY ANALYSIS

This project is in accordance with the 2003 Bond Issue approved in November 2003. The construction contract was advertised and selected in accordance with established bid procedures.

FISCAL IMPACT

The amount of \$419,000.00 in Park Bond Funds and \$174,144.00 in Market Square Parking Improvements Trust Funds were originally available for these projects. The project is listed in the FY06-FY11 Capital Improvement Program. A total of \$176,053.00 was previously encumbered for design work and first phase project fees.

This ordinance will encumber \$256,550.00 from 2003-2007 Park Bond Funds. The amount of \$2,000.00 is for architect contingency fees, \$3,000.00 is for printing and advertising, \$14,000.00 is for construction contingency fees, and \$237,550.00 is for the construction contract. The General Fund is not impacted.


The final phase to be awarded later will utilize Market Square Parking Improvements Trust Funds and any remaining 2003-2007 Park Bond Funds.

COORDINATION

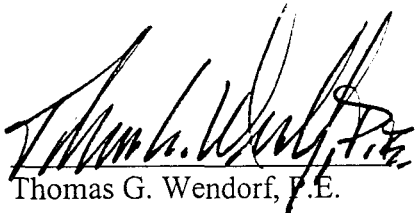
The project has been coordinated with the Farmers Market tenants, the Public Works Department, the Finance Department and the Office of Management and Budget.

SUPPLEMENTARY COMMENTS

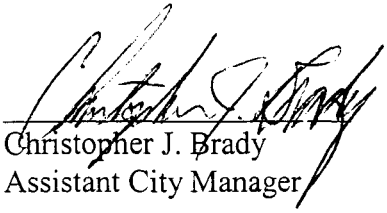
A Discretionary Contract Disclosure statement is not required.



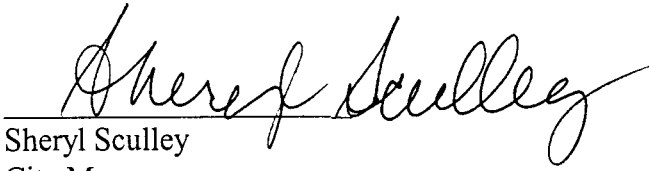
Malcolm Matthews
Director of Parks and Recreation



Thomas G. Wendorf, P.E.
Director of Public Works



Christopher J. Brady
Assistant City Manager



Sheryl Sculley
City Manager

Exhibit I
Construction Bids

Farmers Market Building Rehabilitation

<u>Bidder</u>	<u>Base Bid</u>
Davila Construction, Inc.	\$237,550.00
3TI, Inc.	\$398,000.00

Site Map

Market Square



City of San Antonio
Parks and Recreation Department

Site Map

Market Square



Section 00300
**BID FORM SUBMITTED TO THE
CITY OF SAN ANTONIO, TEXAS
FOR THE CONSTRUCTION OF**

FARMERS MARKET BLDG. REHABILITATION @ 612 W. Commerce Street

IN SAN ANTONIO, TEXAS

The undersigned, as Bidder, declares that the only person or parties interested in this bid as principals are those named herein; that this bid is made without collusion with any other person, firm, corporation; that Bidder has carefully examined the Project Manual and plans therein referred to, and has carefully examined the requirements of the proposed work; and agrees that the Bidder will provide all the necessary machinery, tools, apparatus, and other means of construction, and will do all the work and furnish all the materials called for in the Project Manual and plans in the manner prescribed therein and according to the requirements of the Director of Public Works as therein set forth.

It is understood and agreed that the work is to be completed in full on or before Sixty (60) calendar days.

Accompanying this Bid is a Bid Guaranty in the amount of five Percent (5%) percent of the greatest total amount of the Bid. Said Bid Guaranty, in the form of a Certified or Cashier's Check on a State or National Bank, or Bid Bond, is submitted as a guaranty of the good faith of the Bidder and that the Bidder will execute and enter into a written contract to do the work, if his bid is accepted. The Bidder by submitting this completed form hereby agrees that if he/she fails to execute the written contract and furnish satisfactory bond, within ten (10) calendar days after City Council award, the City of San Antonio shall, in any of such events, be entitled and is hereby given the right to retain said Bid Guaranty as liquidated damages. It is understood that the City of San Antonio reserves the right to reject any and all proposals whenever the City Council deems it in the interest of the City to do so, and also the right to waive any informalities in a bid.

In the event of the award of a contract to the undersigned, the undersigned will execute same on Construction Contract (General Form) and make bond for the full amount of the contract, to secure proper compliance with the terms and provisions of the contract, and to insure and guarantee the work until final completion and acceptance or the end of the guarantee period where so stipulated, and to guarantee payment of all lawful claims for labor performed and materials furnished in the fulfillment of the contract.

The work proposed to be done shall be accepted when fully completed and finished to the entire satisfaction of the Director of Public Works. The undersigned certifies all prices contained in this bid have been carefully checked and are submitted as correct and final.

06/04/04

00300 - 1

Bid Form

The Bidder by submitting this bid acknowledges that they have received
Addenda/Addendum number(s) Addendum #1 (10/4/05)

The Bidder is:

☐ A sole proprietorship;

☐ A partnership composed of _____

and _____

☒ A corporation chartered under the laws of the State of Texas, acting by its
officers pursuant to its by-laws or a resolution of its Board of Directors.

(Affix Corporate Seal here)

Davila Construction, Inc.

Official Business name

By: Tony Davila

Type or print name/title of representative

Attest:



By: 

Signature 10/19/2005
Date

I. BASE BID (Farmers Market)

Amount of Base Bid (Insert Amounts in Words and Numbers)

Contractor shall furnish labor, materials and equipment for all "Base Bid" work described in
the plans and specifications for "Farmers Market Building"

Two hundred thirty seven thousand

five hundred fifty and No/100 xxx

\$ 237,550⁰⁰

II. Alternates (Farmer's Market)

Add Alternate # 1

Furnish labor and material for a complete installation of Exterior Light Fixtures denoted as "AA"
on sheet no. E1.01. (NOTE: Removal and installation shall be included in this alternate. Allow
\$650.00 each fixture)

Thirty four thousand one

ADD TO BASE BID hundred twenty-five

\$ 34,125⁰⁰

and No/100xxx

<u>Davila Construction, Inc.</u>	<u>(210) 684-9640</u>
Official Name of Company (legal)	Telephone No.
<u>5309 Bandera Road</u>	<u>(210) 684-1753</u>
Address	Fax No.
<u>San Antonio, TX 78238</u>	<u>customerservice@davilaconstruction.com</u>
City, State and Zip Code	E-mail Address

Farmers Market Building Rehabilitation Project
26-00346

<u>Description:</u>	<u>Current Budget:</u>	<u>Revisions:</u>	<u>Revised Budget:</u>
REVENUES:			
MS Farmers Market Rehab (2003 Bond \$419,000)	49,445.00	\$256,550.00	\$305,995.00
MS Parking Improvement Trust Fund 04 (\$174,144)	<u>\$126,608.00</u>	<u>\$0.00</u>	<u>\$126,608.00</u>
Total:	176,053.00	\$256,550.00	\$432,603.00
EXPENDITURES:			
26-00346-01-19-01 Architect Fees	\$63,003.00	\$0.00	\$63,003.00
26-00346-01-19-02 Architect Contingency	\$6,250.00	\$2,000.00	\$8,250.00
26-00346-01-10 Bid Advertising/Printing	\$2,000.00	\$3,000.00	\$5,000.00
26-00346-01-19-03 Mandatory Project Fees	\$7,400.00	\$0.00	\$7,400.00
26-00346-05-08-01 Construction Contract-El Mercado	\$36,080.24	\$0.00	\$36,080.24
26-00346-05-08-03 Construction Contract-Farmers Market	\$0.00	\$237,550.00	\$237,550.00
26-00346-05-08-04 Construction Contingency - Farmers Market	\$0.00	\$14,000.00	\$14,000.00
26-00346-05-08-05 Construction - HVAC Replacement	<u>\$61,319.76</u>	<u>\$0.00</u>	<u>\$61,319.76</u>
Total:	\$176,053.00	\$256,550.00	\$432,603.00